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Branigan 2-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Branigan et al.

Serial No.: 09/755,470

Filed: January 5, 2001

For: METHODS AND APPARATUS FOR SECURE WIRELESS NETWORKING

Group: 2134

Examiner: Tran, Ellen C.

Durham, North Carolina
July 17, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Second Declaration of Peter H. Priest Pursuant to 37 C.F.R. 1.131

Dear Sir:

I, Peter H. Priest, declare as follows:

1. All statements herein made of my own knowledge are true and all statements made on information and belief are believed to be true.
2. The claims of the present application have been rejected based on Ekberg U.S. Patent No. 7,003,282 (Ekberg) or based on Ekberg in combination with one or more other items. From its face, Ekberg has a corresponding PCT Pub. No. WO 00/002406 which was published January 13, 2000, about five weeks prior to Bahl's filing date of February 22, 2000.

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3. As addressed by my previous declaration, prior to February 22, 2000, as well as currently, I have been the sole proprietor of the Law Offices of Peter H. Priest, P.L.L.C. and its predecessor, The Law Offices of Peter H. Priest (collectively "the firm"). The same is true prior to January 13, 2000.

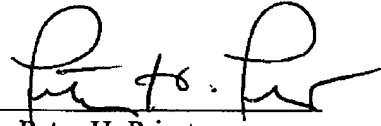
4. As addressed by my previous declaration, the firm received a patent submission from Lucent Technologies Inc. ("Lucent") for Mr. Branigan and Mr. Cheswick which resulted in the present application. The correspondence was addressed to me and I believe that I opened it as that was my practice at the time. Part of that submission was a copy of a letter from Donald P. Dinella, a Lucent attorney. That letter was dated prior to February 22, 2000 and acknowledges the patent submission by Mr. Branigan and Mr. Cheswick. With Mr. Dinella's letter, I received the submission acknowledged by Mr. Dinella's letter. A true copy of Mr. Dinella's letter and the acknowledged submission was attached as Exhibit A to my previous declaration. Page numbers 1/11, 2/11, etc. were added to the upper right hand margin of Exhibit A for ease of reference and the dates were redacted. Both Mr. Dinella's letter (page 1/11) and a Submission Information form (page 10/11) indicate the submission was received from the inventors prior to February 22, 2000. The submission includes a write up entitled "Providing Secure Wireless Network Communications" (pages 4/11-9/11). The redacted dates establish that the submission was received prior to January 13, 2000.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I understand that willful false statements and the like are

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punishable by fine or imprisonment or both as set forth in 18 U.S.C. 1001, and may jeopardize
the validity of the application or any patent issuing thereon.

Executed on July 17, 2006


Peter H. Priest